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VILLAGE OF NORTH HAVEN

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BOARD OF TRUSTEES

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WORK SESSION - SPECIAL MEETING

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Held at:

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335 Ferry Road  
Sag Harbor, New York 11963

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October 4, 2022  
3:30 p.m.

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Proceedings Recorded by  
Electronic Sound Recording  
Transcribed by: Agata Davis

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A P P E A R A N C E S:

Chris Fiore, Mayor

Claas Abraham, Deputy Mayor

E. Dianne Skilbred, Trustee  
(Present Virtually)

Terie Diat, Trustee  
(Present Virtually)

Peter Boody, Trustee

Eileen Tuohy, Village Clerk/Treasurer  
(Present Virtually)

Scott Middleton, Esq., Village Attorney  
(Present Virtually)

\* \* \*

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MAYOR FIORE: We'll start with the  
Pledge of Allegiance.

(Whereupon, the Pledge of  
Allegiance was recited.)

MAYOR FIORE: Okay. We will start  
the special Board of Trustees meeting.  
Thank you for attending. We have two  
people here in person, Stella Sands and  
Stephanie Joyce. We have a bunch of  
people on Zoom. And, Eileen, can you text  
Scott?

MS. TUOHY: I can.

MAYOR FIORE: Please, yeah, and  
just ask him to get on.

So our discussion items start with  
appointing a -- discussing the appointment  
of a committee, and the committee would be  
a committee that would liaise with both  
the 501 Board and the Village Board of  
Trustees. This committee would be made up  
of two trustees. Is Dianne here, by the  
way? Yeah, there she is. Just, hang on.  
The Mayor, a trustee, and at least one  
landscape, probably two landscape experts.

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This Board would work with the 501 Board on ideas that you have for the park and this Board would then present those ideas to the Board of Trustees who would have ultimate approval/denial rights over those ideas. The 501 Board, whose job is, in many people's estimation, pretty much done as far as elements for the park, but they need to be fine-tuned by people who really know landscaping. And the 501 Board needs to concentrate on fundraising and contributions and naming rights, similar, in essence, to what Scott Middleton, our Village Attorney, had e-mailed to us and you about ten days ago.

So we would like to propose that I would be joined by Dianne Skilbred, who is the head of Parks & Trails. Dianne is here on Zoom because she, too, well, she doesn't have Covid, but Dianne's on Zoom with a non-Covid, very bad cold. Terie's on Zoom with a husband in her car who tested positive for Covid this morning, so. And Eileen also tested positive for

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Covid this morning and she is on Zoom. I don't know who this gentleman is. There's no -- oh, it's Hank Rossi is also here. Jim Voss is here, Amy Young, and Camille Petrillo. And Scott Middleton has just joined the meeting, and Scott Middleton is our Village attorney. Scott, you there?

MR. ABRAHAM: I'm connecting to audio. Now he's there.

MAYOR FIORE: Okay.

MR. ABRAHAM: Just needs to unmute himself.

MAYOR FIORE: Scott, you with us? Scott Middleton, come in?

MR. MIDDLETON: Yes.

MS. TUOHY: There he is.

MAYOR FIORE: There he is. Okay, good.

MR. MIDDLETON: How are you?

MAYOR FIORE: Okay. We're very good, thank you.

I just mentioned the establishment of a committee made up of Dianne Skilbred, myself, and one, possibly two, landscape

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design experts who would take the discussion of elements of the park, which would include mostly trees, shrubbery, flowers, garden to the next level, on a professional level, because that is their expertise. That's as far as we got.

The 501 Board will now hear from Attorney Middleton what their roles and responsibilities are going forward. If you want to -- if you want to repeat that, I did mention it to Stephanie and Stella. Max is not here, but he is supposed to be on -- he's supposed to be here on Zoom, but I think he's tuned into a 4:00 number, so.

MR. MIDDLETON: Okay.

MAYOR FIORE: So, Scott, did you want to --

MR. MIDDLETON: Sure.

MAYOR FIORE: Did you want to review that?

MR. MIDDLETON: Sure. I mean, I kind of laid it out in my last e-mail to everybody because, you know, I was -- my

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1  
2 firm was involved in the formation of the  
3 not-for-profit. So I looked back at some  
4 e-mails that I got from Jeff Sander and,  
5 bless you --

6 MS. SKILBRED: Thank you.

7 MR. MIDDLETON: And that's, that's  
8 kind of where I form the basis of my  
9 thoughts on what the not-for-profit  
10 corporation's obligations are under the --  
11 not only under the Certificate of  
12 Incorporation, but just, you know, what  
13 people were thinking when it was formed.  
14 So, you know, in the Certificate of  
15 Incorporation, basically it's pretty  
16 broad, pretty general.

17 But when I look back at what Jeff  
18 had indicated, it seems to me that the  
19 idea was for this not-for-profit to go out  
20 and fundraise for various projects that  
21 the Village Board wanted to accomplish at  
22 this particular park, and not just this  
23 particular park, but also the other  
24 trails, which is why Jeff came up with the  
25 name for the organization, you know, the

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North Haven Parks & Trails --

MAYOR FIORE: Association.

MR. MIDDLETON: -- Association.

So, you know, and then when we look at the IMA with the Town, that sort of spells out, you know, what the Village's obligations are.

So, to me, when I look at it, if there's a gift that somebody wants to make on behalf of something honoring somebody, whatever it might be, if there's a bench or a tree or whatever it might be that the Village Board thinks is appropriate, the not-for-profit can report to the Village Board before the establishment of this committee or to this committee afterwards and say, you know, this person wants to donate 10,000 and have a bench named, et cetera, et cetera, so, and they like this style bench and this is what we're recommending. That's fine. But the rest of it, really, it's really up to the Village what happens in that park because of the IMA with the Town.



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So I hope that, you know, helps in some way, but that's the way I view the relationship between the not-for-profit, the Village Board, and now, if we're going to insert the committee, you know, it's just gonna be one big collaborative effort between the three different groups, so.

MAYOR FIORE: Agreed.

MR. MIDDLETON: Anybody have any questions, suggestions or anything else that I might be able to help with?

MAYOR FIORE: I do want to mention that this is a special meeting between the 501 Board and the Village Board of Trustees, so it is -- it is really -- the discussion is really for the two boards. I can open up the meeting for public input at the end of the final meeting.

MR. MIDDLETON: That's fine.

MS. DIAT: Yeah. I'd just like to say, I think that's -- I think that's a fair description, Scott, but I do think that since the beginning of the inception of the not-for-profit board, that I

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believe that that group has been working on the design plans of the park along with Mayor Fiore, or Trustee Fiore at the beginning, now Mayor Fiore. So I think the role that they've been playing has been expanded beyond fundraising activities. So I think certainly they've been playing an expanded role since the beginning. You know, it hasn't been narrowly focused on fundraising, so whether it was defined only as fundraising at the beginning, they've been doing more than that.

MAYOR FIORE: Well, I think that's a fair statement because, in the beginning, when we formed this committee in January of 2022, there was no -- there were no elements of the park to raise money for.

So the first thing that we concentrated on -- and I remember giving the list of potential donors to the three members of the Board and saying, "Okay, we need to contact these people as soon as we

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get an idea, as soon as we have something that's congealed together, to say, 'All right, now this is what we'd like to do and we would really like you to contribute.'"

But the first six months of this project, we spent developing concepts and ideas for the park. We collaborated with each other and then I presented a general, a general representation of the park to the residents by in-person presentation followed by a Zoom presentation back in May.

Since that time, the Board, the 501 Board has deleted a few items and has made adjustments to that plan. We lost those concrete chess tables by -- because the Board said, you know, maybe that's too -- maybe that's too New York City, maybe we don't need that, maybe that's too much clutter, maybe we would like it a little bit, a little bit lighter, a little bit more natural. So the Board took out the performance platform. The Board voted

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1 to remove those children's playground  
2 items that we were gonna sprinkle through  
3 the park to, you know, just to create a  
4 little bit of a discovery aspect for kids.  
5 The Board decided to eliminate the -- what  
6 did I say? The performance platform, the  
7 gazebo, the kids' things, and the chess  
8 and the backgammon tables.  
9

10 Okay. So we were -- we then  
11 concentrated, as a Board -- on which I was  
12 not, as I'm just the liaison between the  
13 Board and the Village Board of Trustees.  
14 Jeff Sander appointed me to that role back  
15 in January when I was a Trustee. I don't  
16 think it's right for me to continue that  
17 as Mayor, which is part of the reason why  
18 we would like to form a committee to be  
19 the liaison between the two boards.

20 But now that we have a plan that  
21 is very much, that is very much close to  
22 approval by, I think, everyone involved,  
23 now is time for fundraising so that we can  
24 put dollars to ideas. If you've got --  
25 and we intend to have a formal fundraising

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campaign starting before the end of the year so that people can get tax deductions with the donations that they make before December 31st. I have, personally, raised in excess of \$100,000, and that was just through a family foundation that I was aware of and that I made a presentation to, and the presentation I made was this park, was this park that we're talking about.

MR. MIDDLETON: One of the things that I'm not privy to at this point is whether or not the not-for-profit has hired an accounting firm, because I think that they should sooner rather than later.

MAYOR FIORE: No, we have not yet, although Eileen and I have talked about candidates for the accounting firm, and you were also gonna give me the name of the Bridgehampton firm --

MR. MIDDLETON: Right.

MAYOR FIORE: -- that you're familiar with.

MR. MIDDLETON: It's now Marcum,

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so.

MAYOR FIORE: Oh, it's Marcum?

MR. MIDDLETON: It was, yeah. It went from Markowitz Fenelon & Bank to Friedman to now Marcum, so.

MAYOR FIORE: Oh, okay.

MR. MIDDLETON: The people that are in the Bridgehampton office have been there for a long time. It's, you know --

MAYOR FIORE: Yeah, because we have to acknowledge, this is the first donation that we've gotten. There's another one on deck, but we have to acknowledge those. We have to make sure that all of the tax forms are up to speed, up to snuff.

MR. MIDDLETON: Right. And one of the things that, you know, the folks that are doing the volunteer work or are projected to or plan to, you know, they should get the in-kind forms that most not-for-profits give out so that, you know, their efforts are accounted for as well, so.

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MAYOR FIORE: Yes, because we do expect a good deal. I mean, we've had \$100,000 -- in addition to the cash that was raised, we have \$100,000 worth of in-kind donation from Jackson Dodds, or close to it. And then we anticipate a lot of the elements of the park to be donated as well, trees, shrubbery, the RCA for the stone path, a good portion of the garden, as well as the labyrinth.

MR. MIDDLETON: Okay.

MAYOR FIORE: So all those would need to be acknowledged.

MR. MIDDLETON: Right. And I don't know if now is a good time to mention it, but I know that you've made inquiries with respect to certain companies for the demolition of the structures on the property, but I think that the Village Clerk should be authorized to put that out for an official bid.

MAYOR FIORE: Yeah, we're doing that this afternoon. We can do it right

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now, if you want.

MR. MIDDLETON: You know, I just -- I just wanted to mention it. I mean, I think it's important.

MAYOR FIORE: Yeah.

MR. MIDDLETON: And I think that, you know, we're coming up on that deadline so that needs to be addressed as soon as possible.

MAYOR FIORE: We have -- we have three bids for the demo of the house and the demo of the pool and the filling of the pool. In addition to that, there's asbestos in the very small basement and we will have to have that professionally removed. So we will, based on your recommendation, put this out to official bid so that all the T's can be crossed and the I's dotted.

MR. MIDDLETON: Okay. Very good.

And with respect to the committee that you're going to create, my suggestion is, at the next Board meeting, just do that by resolution.



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MAYOR FIORE: Yes.

MR. MIDDLETON: The creation of the committee, okay?

MAYOR FIORE: We are not going to vote on the repayment to the General Fund because this is a Work Session, not an official Board of Trustees meeting, and we are not going to vote on the resolution for Phase 1 of the Lovelady Park process. That will also move to the first Board of Trustees meeting in October, based on advice from Scott.

MR. MIDDLETON: I think that's best practices, yeah.

MAYOR FIORE: Okay. Very good.

MS. DIAT: And the resolution for the process and procedures will be at the next Board meeting, as well?

MAYOR FIORE: That will be at the Board of Trustees meeting, not the work session, yes.

MS. DIAT: Right.

MR. ABRAHAM: Just to confirm, we're gonna have two committees, so to

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1 speak, for the park.

2 MAYOR FIORE: Yes.

3 MR. ABRAHAM: We have a 501(c)(3),  
4 plus the design. They both report to the  
5 Board of Trustees.

6 MAYOR FIORE: Yes.

7 MR. ABRAHAM: Okay. Thank you.

8 MR. MIDDLETON: Well, I don't --  
9 just to clarify, Claas, I don't consider  
10 the 501 committee as much as, you know,  
11 it's just a -- it's a not-for-profit  
12 corporation that has its own board.

13 MR. ABRAHAM: Let me rephrase  
14 that. We have two groups.

15 MR. MIDDLETON: Perfect. Perfect.

16 MR. ABRAHAM: Two groups.

17 MAYOR FIORE: Okay.

18 MR. MIDDLETON: I hate to get all  
19 lawyer-like, but, you know.

20 MAYOR FIORE: Yeah, you are.  
21 You're borderline.

22 MR. MIDDLETON: I know.

23 MAYOR FIORE: So the October  
24 meeting is scheduled -- October Board of  
25

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Trustees meeting is scheduled for October 19th at 5:00.

MS. TUOHY: Correct.

MAYOR FIORE: So we are in process now of completing -- of working on and ultimately completing by the end of the year Phase 1 of this park plan. And Phase 1 of this park plan includes what's on your agenda in the Description of Phase of the Lovelady Powell project.

Phase 1, and you can check these off, we removed all of the invasive shrubbery, weeds, the poisonous vines, the downed trees, the dead trees, the dead limbs, and all the phragmites that bordered -- not all, but some of the phragmites that bordered the park.

Billy Hajek and I, he is our environmental consultant. He and I had a Zoom call with the Department of Environmental Conservation back in May. And when they looked at the property, they told us they had no jurisdiction over Sebastian Pond, which is where we're

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working right now. They did have jurisdiction over the small goose pond, which is right off Sunset Beach Road. And what I call the South Pond, I don't know an official name for that, which is the pond that is enshrouded in heavy-duty shrubbery across from Ryder Pond.

So we have applied for a cleanup permit with the Department of Environmental Conservation, and that takes a while, and we are anticipating that we'll get that, we'll get that approval for the spring season. But we cannot work within 100 feet of either of those ponds until we get the approval.

So we removed, through the courtesy and the generosity of Jackson Dodds, his equipment, his people, his guidance. We removed all of the aforementioned landscape items. We have -- we have acquired 500 pounds of Rye Grass mixed seed that once, once the weather clears, we will broadcast in that area so that within the next three to four

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weeks, we should see a lovely blanket of green lawn.

We will then get 160 tons of RCA, which is the recycled rock that will be the base for the walking path under the colonnade of maples, and the stone dust. That will be donated, in part, by Bistriani Materials. They'll give it to us at their cost, not wholesale, their cost. And another donated item -- another donator will transport all of that to the worksite.

Jackson and Sam Panton, who's our landscape designer and who designed the park, will install the path beneath that column of trees. And we will plant ten trees to replace the dead trees that have been removed and cut down in that colonnade. Those will be hopefully donated by landscaping companies. Jackson is organizing that. He will plant them. We will irrigate them on a temporary irrigation basis based on the availability of water from the well that's on the

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property. And we will be set to go by hopefully November 1st.

That's the end of Phase 1. That's what I presented to the Board of Trustees and received a -- what I would call a green light because there was no objection to it. There was no resolution because we hadn't passed the resolution that said we needed a resolution. So I got verbal agreement from the Board Members that this Phase 1 was good to go. Would you agree with that, Terie?

MS. DIAT: Yeah. So, I would not. I did not feel like I, personally, gave the green light for that. I don't feel like that is documented anywhere, but that's my point of view on it.

MAYOR FIORE: Is there word from any of the other Trustees?

MR. BOODY: I feel that we -- I came in a little bit in the middle of this as a Trustee, but I felt that your assessment that, through discussions, we had given our consent, it's true, but not

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1                   technically legally --

2                   MAYOR FIORE: Right.

3                   MR. BOODY: -- same thing as a  
4                   resolution.

5                   MAYOR FIORE: Right.

6                   MR. BOODY: And I just hope that  
7                   going forward, and I think that's our  
8                   plan, your plan --

9                   MAYOR FIORE: That is the plan,  
10                  yes.

11                  MR. BOODY: -- is that we'll have  
12                  resolution -- we'll have public hearing on  
13                  further phases and a resolution of the  
14                  Board specifying what we're proceeding on.

15                  MAYOR FIORE: There is a Lovelady  
16                  Park Board of Trustees approval process  
17                  which was written and edited by Terie and  
18                  myself that we would have voted on today  
19                  that would require a resolution of the  
20                  Board of Trustees on every one of the  
21                  three phases, but that's been moved to  
22                  October 19th. Claas, do you have  
23                  anything?

24                  MR. ABRAHAM: Yeah, I agree with  
25

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Peter the same way. I wish we kind of like had done the resolution for Phase 1 prior, but I feel that the design or the phases for the work to be done and presented to the Board of Trustees and to the Public many, many times, and there were no objections to any of those, or we, at least, agreed that these steps are the right ones to take, so that sort of, like, is a layer of this resolution. But will now, you know --

MAYOR FIORE: Right.

MR. ABRAHAM: -- to make it watertight and proper, we'll pass resolutions to approve future work and also past work.

MAYOR FIORE: Dianne?

MS. SKILBRED: I also felt at the time that you presented it that none of us disagreed with any of it. And whether it was legally technical, it certainly was -- I felt that we were agreeing to Phase 1 at that time.

MAYOR FIORE: Scott, do you have



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any issue with the legality of proceeding with Phase 1 without a resolution of the Board?

MR. MIDDLETON: Personally, I don't think it required a resolution. So I don't think it's a matter of legality, but, you know, you can move forward with doing this type of work as long as the work doesn't have to be big. That's the only time, I think, that you'd be -- you know, it's analogous to when you're maintaining the park behind Village Hall and, you know, the person that works for the Village goes and does the work. So I don't think it needs to be by resolution, other than if that's what the Board wants to do so that things are documented and it makes it easy for everybody to refer to, I think that's a good practice. But I don't think --

MAYOR FIORE: And that's --

MR. MIDDLETON: I don't think it's a problem with respect to the legalities of it.

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MS. SKILBRED: Also --

MAYOR FIORE: And that's exactly where we are and we would have been -- we would have had the process approved, but there was a side discussion of -- one element within the process about reimbursing the Village for the demolition of the houses of the, of the two structures, of the garage, and those discussions delayed the vote on the process until today, and now we're gonna move into the 19th. So we didn't have the process in place based on the discussions and the debate based over the \$75,000 proposal to remove the structures.

So now we will have the process voted on, on the 19th at the Board of Trustees meeting. And the process will include resolutions for everything we do, a presentation of the final design plan, and resolutions for any further phases, which are two, Phase 2 and Phase 3. And I'll go through --

MS. SKILBRED: Chris?

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MAYOR FIORE: Yeah.

MS. SKILBRED: I also, I guess I'm coming from when I did the playground and it's three or four stages. We didn't do resolutions then. I presented to the Board and they had no complaints and they said, "Okay," and that's just how we ended it at the time.

MS. TUOHY: Well, no, but you had resolutions to spend the money.

MS. SKILBRED: Yes, yes, when -- we didn't have a formal resolution. I just -- did we?

MS. TUOHY: No --

MS. SKILBRED: I guess we did. I guess we did.

MS. DIAT: So I just think, because of the size and importance of this project to the Village and visibility to the Village, that whether we need it legally or not -- and I'm surprised you say we don't need it legally, that's a surprise to me. But I just think it's a very good practice to proceed the way we

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1                   have laid out the procedures.

2                   MR. MIDDLETON: Terie, I agree  
3                   with that.

4                   MAYOR FIORE: And, Terie, we all  
5                   agree. We all agree.

6                   MS. DIAT: Okay. All right.

7                   MAYOR FIORE: And we would have  
8                   voted it in.

9                   MR. MIDDLETON: I don't have a  
10                  problem with that.

11                 MS. DIAT: All right. So let's  
12                 not talk ourselves out of it then.

13                 MAYOR FIORE: No, we're not  
14                 talking ourselves out of it.

15                 MS. DIAT: Okay.

16                 MAYOR FIORE: We're all in favor  
17                 of it.

18                 MS. DIAT: Okay, good.

19                 MAYOR FIORE: Yeah.

20                 MR. MIDDLETON: I think, at least  
21                 I thought I said that --

22                 MAYOR FIORE: Including me.

23                 MS. DIAT: Okay.

24                 MR. MIDDLETON: -- I think it's a  
25

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good practice, Terie. I think it's a fine idea.

MS. DIAT: You did. You did.  
We're endorsing it.

MAYOR FIORE: I think it's a fine idea, too.

MS. DIAT: We're all --

MAYOR FIORE: Yes.

MS. DIAT: -- endorsing it then.

MAYOR FIORE: I certainly don't want to proceed with anything without a solid vote of the Board of Trustees behind it. I don't want -- I don't want to risk that. So I'm 100 percent behind the process.

So we will vote on that on the 19th. We'll also vote on the, on the concept of the reimbursement from contributed funds to the Village for the cost of demolition, should that happen. So those are the -- those are what we will postpone 'til the October 19th meeting.

Phases -- Phase 1A, which is part of Phase 1 because of the timing, the

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intermunicipal agreement with the Town of Southampton and the Community Preservation Board that we made with the Village of North Haven dictates that the structures be removed by December 13th.

We have spent a great deal of time and effort attempting to save the structure of the main house. We had a buyer who fell apart because the moving costs were exorbitant. We have talked to Tommy John Schiavoni. We have talked to Lisa Kombrink, who was the head of the CPF, to see if there was any way that we could circumvent that rule. And after six months of a lot of, a lot of work and a lot of energy, we are back to square one and there does not seem to be an avenue for us to save the structures.

So I am seeking bids on -- official bids. I have bids that it would cost \$75,000 to tear the houses down. It was not an official bid that was advertised by Eileen, so therefore we want to do that and find out exactly what that

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bid will come in at at prevailing wage, et cetera, et cetera. And if it's more than 75,000, we'll have to come up with that money. The asbestos is \$8,000 to remove. So 75 less 8 takes us to the demo bid that won, and that was \$67,000. But we will advertise for more bids in the next, in the next week. So that is Phase 1A.

Phases 2 and 3 include additional items that could be included in the park. It is what the 501 Board has arrived at after deleting a few of those items that we talked about in May. And this Phase 2 and Phase 3, the timing of which will be announced, and the execution of which is dependent upon money raised, because my word to the residents of North Haven was this isn't gonna cost any taxpayer dollars. I was talking about the creation of the park, not the demolition of the buildings, because that's -- that was part of our agreement with the Town of Southampton, whether or not we built the park or not. We would have to remove the

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buildings because the land was given to us for our stewardship. So Phases 2 and 3 will be dependent on contributions on fundraising, which the 501 Board will be fully concentrating on in the near future.

We need about \$400,000 in cash.

We have 100,000 committed. We have 50,000 in work, and we have a good bit of money to go in order to fund everything that we want to fund. The funding is dependent upon not getting anything donated. So for every dollar we get donated, that takes our cash dollar need down. So if they donate ten trees and we don't have to spend \$20,000 a tree, fine, we don't have to spend that. And the donator gets a tax break, if he chooses to do it, the landscape company. And then we will also sell naming rights for that tree or a dedication plaque for that tree, and that would be a dollar figure which is legally a tax deduction for the person who is donating. They're two separate items. I explained that at the meeting of the 501



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back in September.

So if we get naming rights and if we get trees donated, it costs us nothing and we may not need the \$400,000. I do believe we will, and that's what we've put as our fundraising goal, \$400,000 in cash, plus \$100,000 in donations from Jackson Dodds to do the work in Phase 1. It's a \$500,000 project. Certain donations will lower that \$400,000 number and we'll be in good shape.

So Phases 2 and 3 could include the path on the north side of the pond, which would mirror the stone path on the south side of the pond and the grass path which meanders through, next to the pond, which is why we've removed the phragmites, so we can put some benches there. You can sit, look at the pond. You'll do the same thing -- we'll do the same thing on the north side of the pond if we build a catwalk that allows you access from the south to the north. We may have a bridge in the middle of the pond going from the

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south side to the north side. That is also dependent upon contributions.

We would like to have a pollinator garden, a Lovelady pollinator garden, and we'd like to put it right by where the pool is now, which gets fabulous sun, and it is in process of being designed and discussed.

There will be benches. There will be a labyrinth or there could be a labyrinth if someone decides to donate money to build a labyrinth, and that might be something that would be a lovely item to have in the park.

Pending DEC approval, we would clean up the goose pond and South Pond and we would be able to plant additional plantings of deer-proof shrubbery and flowers, which is why we would have landscape people on our committee.

And that's Phases 2 and 3. That should cost a couple of hundred thousand dollars all in, depending on how much contribution we get and how many donations

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we get and a lot of in-kind donations. So that's, that's basically it.

The plan today, as I've just described, is interestingly similar to the plan that I presented to the residents on Zoom and in person in May. It hasn't changed all that much. We've removed some items and we've made the park a little bit more landscape focused as opposed to park focused, but that's where we are as of now.

Any -- hello, Mr. Remkus, how are you?

MR. REMKUS: I'm good.

MAYOR FIORE: Good. Rob Remkus just joined. And I will now open up the meeting to any questions or comments from the 501 Board. I will go to residents' comments after that.

MS. TUOHY: Okay. Just have them come up to the podium so they can get recorded.

MAYOR FIORE: Max is not -- Max is not on the --

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MR. ABRAHAM: Max is on.

MAYOR FIORE: He is on the Zoom?

Oh, okay.

MR. ROHN: Zoom. Hi.

MAYOR FIORE: Oh, yeah, there he  
is. Hi, Max.

MR. ROHN: Hi, Chris.

MS. JOYCE: So --

MS. TUOHY: Introduce yourselves,  
please.

MS. JOYCE: What?

MS. TUOHY: Introduce yourselves,  
please.

MS. JOYCE: Hi. I'm Stephanie  
Joyce. I'm president of the Board, and --

MS. SANDS: Stella Sands,  
secretary.

MS. JOYCE: And Max is treasurer.

MR. ROHN: Hi. Max here.

MS. JOYCE: Okay. So I just want  
to -- I'm not really sure why we need a  
committee between the -- our Board and the  
Village Board. That's our first --

MS. SANDS: I'm just curious for

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the first time.

MS. JOYCE: (Inaudible.)

MS. SANDS: So you're having four people or so to meet with us who then go to you, or listen to us and then take the ideas --

MAYOR FIORE: Four people would be responsible for the landscape portion of the park. Neither of you is a skilled landscaper, so. But you are skilled at coming up with raising money for the park, which you have done, and hopefully you're skilled at raising money. And if you're not, then we won't have -- then we'll have to punt. But that will be your main focus.

The other committee, which would be Dianne, Trustee Skilbred, myself and two landscapers, would be talking about the types of native species, plants that we will replace all of the invasive shrubbery with, what kinds of flowers will be in the garden, what will be a pollinator garden, what other flowers and

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deer-proof shrubs and flowers can we spread throughout the park that will be able to, you know, that will be able to resist all of the local deer population.

MS. SANDS: Sure.

MS. JOYCE: Well, another thing I'm not clear on is, you keep saying that we're a committee, but we're really a 501(c)(3) nonprofit, and we have -- we have to follow those guidelines for 501(c)(3) starting with a mission statement. Was -- when this was applied for, was there a mission statement?

MAYOR FIORE: I thought you created a mission statement.

(Crosstalk)

MS. SANDS: 501(c)(3) was created. When you, when you have an application in, it's my understanding that there has to be a mission, of course, because you're applying for --

MAYOR FIORE: I am not aware that --

MS. SANDS: -- (inaudible)

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mission, and are we raising money for that mission? Because we could get in trouble if the mission is not clearly stated on the 501(c)(3) application.

(Crosstalk)

MAYOR FIORE: Well, it's gonna be in the -- it would be in the bylaws, wouldn't it?

MS. JOYCE: No, it's not in the bylaws. It's a separate --

MAYOR FIORE: But you're saying "should be in the bylaws," but, Scott, it's not -- there's no mission statement in the bylaws. There is an opening paragraph that I don't have with me.

MS. JOYCE: Yes, I have it here. That's where we're confused because --

MAYOR FIORE: Right.

MS. JOYCE: -- in the bylaws it says, "The affairs and property of the corporation shall be managed by or under the direction of Board of Directors." So, yes, that's in the bylaws.

And then also in a letter from

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Chris, August 29th, it said that the 501(c)(3) will oversee park development and creation. So we got confused and now we're doing fundraising, which we're happy to do.

(Crosstalk)

MAYOR FIORE: I did make it very clear at our very first meeting in January, when I gave you the letter, the letter that you could send to your friends looking for funds, the letter from Jeff, the e-mail from Jeff that listed about 25 people and potential donations from them, I made it very clear that that was the primary focus of the 501. But until --

MS. JOYCE: But we also need to follow the bylaws.

MAYOR FIORE: Wait one minute.

But until that time, we needed something to raise money for.

MS. JOYCE: I know, it's great. And we're establishing this and we're figuring it out.

MAYOR FIORE: Right.



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MS. JOYCE: It's a new thing.

I've been on multiple boards and, you know, they're already established and you show up and you take votes and --

MAYOR FIORE: Right.

MS. JOYCE: So we're establishing this. So we're getting clear, which is great. And thank you for this meeting. I really appreciate that.

MAYOR FIORE: Certainly.

MS. SANDS: But I just want to ask one thing. Just today you said you don't need resolutions necessarily. It might be nice to have some. I was at a Trustee meeting a while ago and Dianne's group had presented some ideas for the park, and people sitting there voted on the resolution, said "yes," and I'm surprised that some people --

MR. ABRAHAM: For the playground?

MS. SANDS: Yes.

MR. ABRAHAM: That was the expense that was voted on.

MAYOR FIORE: That was expenses.

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MS. SANDS: So this is a \$2.7 million buy and we're doing this once-in-a-lifetime park.

MAYOR FIORE: Right.

MS. SANDS: And even if we get people to donate their time and kindly do things, why wouldn't we all agree ahead of time that this is what we want and have that down in writing?

Because we -- I mean, I believe Max just met Sam two weeks ago. I met the landscaper -- I met him far into the project. I was never involved in any Jackson Dodds conversation. Everything was done and it would have been nice, I feel, and it feels like the Board of Trustees might have had resolutions on this so we were clear ahead of time as exactly what was going on, we have it certified. It feels like you're doing things like kind of --

MAYOR FIORE: Well, I have to tell you, from my perspective, the responsibility is -- the roles and

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responsibilities of the 501 Board were, as we stated, development of ideas and fundraising. So to procure a Jackson Dodds and to get a \$100,000 donation is not within that definition.

MS. SANDS: So it's a one-man -- so you are responsible. This is your job.

MAYOR FIORE: So, as the Trustee, who was the liaison between the 501 Board and the Board of Trustees and who was taking ownership of the park, yes, I contacted Jackson Dodds and, yes, I asked him if he'd like to make a donation and to --

MS. JOYCE: (Inaudible.)

MAYOR FIORE: Wait a minute, wait a minute. And to -- well, because it was not in your purview.

MS. SANDS: But we're part of this park. The Trustees are part of the park.

MS. JOYCE: Everything needs to be in alignment with the mission, which we're not even clear on. We presented one. You voted unanimously. You added in, you all

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added words, and now you say, "Oh, well,  
we want to add more." So let's get clear  
on --

MAYOR FIORE: Well, I thought you  
settled on a mission statement.

MS. JOYCE: We did. Okay, I  
will --

MAYOR FIORE: So read it, yeah.

MS. JOYCE: "To protect, honor and  
enhance the natural beauty of Lovelady and  
also the community, a sanction" --  
"sanctuary for reflection discovery." So  
when you want to add, well, gather  
socially, that's great. But now --

MAYOR FIORE: No, I don't -- I  
didn't say that we needed to add --

(Crosstalk)

MS. JOYCE: If this is to protect  
and honor the land, there's a big concern  
in the community about the overclearing,  
whether it's -- you know, we were told  
that two five-foot paths would be cleared,  
one through the colonnade, one along the  
pond, and everything in between is

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1 cleared.

2 MAYOR FIORE: Everything --

3 MS. JOYCE: Everything was an  
4 invasive species.

5 MAYOR FIORE: Everything in  
6 between was an invasive species, was a  
7 poisonous vine, was, was unwelcome in the  
8 park. It is being replaced with native  
9 species, with Ryegrass, which was  
10 originally there. It was a farm  
11 originally, okay. So, yes, it's being  
12 replaced with a path, maple trees, native  
13 shrubbery and grass so that people can --  
14 here, let me just show you this. Let me  
15 just show you this.

16 This was the -- this was one of  
17 the boards that I showed in May that you  
18 all loved, okay.

19 MS. SANDS: This was a discussion.

20 MS. JOYCE: This was our very  
21 first --

22 MAYOR FIORE: But I just want to  
23 show you --

24 MS. JOYCE: -- ideas for  
25

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discussion.

MAYOR FIORE: I know. I know.

These were our ideas for discussion.

And here is a park with grass and benches and trees. Here's a labyrinth. Here's a performance platform that you decided you didn't want. Here's the stone path, the stone dust path. Here's the pollinator garden.

So, so what we did, what I did with Jackson Dodds was to say, okay, clear out all of the poisonous vines, all of the mile-a-minute, all of the invasive shrubbery, all of the dead limbs and dead trees, and we will replace those with proper native plants, flowers and grass. And I really never thought you had any, any indication of, of not wanting that to happen.

MS. JOYCE: I liked that idea a lot. In fact, it looked really good on paper.

MAYOR FIORE: I thought you did. I thought you did.

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MS. JOYCE: It looked really good  
on paper.

MAYOR FIORE: Yup.

MS. JOYCE: When you drew -- I  
mean, this isn't a landscape design. This  
is a pen, i don't even know who drew this.  
But this path was gonna be cleared and  
this one. Now, everything in between --

MAYOR FIORE: Well, of course it  
has to be cleared because you've gotta  
start with a blank canvas. All of that  
was invasive.

MS. JOYCE: All, everything, okay.

MAYOR FIORE: Yes.

MS. JOYCE: And these --

MAYOR FIORE: If you want to, you  
can ask Sam, you can ask Jackson Dodds.

MS. JOYCE: I will, but I haven't  
been included in the meetings with them.

MAYOR FIORE: You've walked  
through that path with Jackson Dodds.  
You've walked through it with Sam.

MS. JOYCE: (Inaudible).

MAYOR FIORE: Yes, I know, but you

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1                   did. So I would think that your questions  
2                   could have been answered. I'm not the guy  
3                   who can tell you what's invasive and  
4                   what's not.  
5

6                   MS. JOYCE: Okay.

7                   MAYOR FIORE: I'm the guy who says  
8                   to Jackson, "How about giving us \$100,000  
9                   of free work?" And then he says, "I will  
10                  take care of that." He is a -- he is a  
11                  very well-known, licensed, degreed  
12                  landscape contractor.

13                  MS. JOYCE: I just, I just, I'm  
14                  concerned that the vision seems to be a  
15                  one-person vision rather than a consensus.

16                  MAYOR FIORE: No, I disagree with  
17                  that entirely.

18                  (Crosstalk)

19                  MR. ABRAHAM: As the Board, right,  
20                  like, the plans that were made. So I  
21                  think that we would have objected if we  
22                  didn't, as a Board, didn't feel there was  
23                  something that was inappropriate for this  
24                  park. I mean, we've seen these things  
25                  over and over and we, as a Board, are the



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last deciding factor, so to speak. And I think that -- I mean, we all live in North Haven. We all know how much invasive species there are, and it's a lot.

So, I mean, I walk past that property many times. I've been walking my dogs through North Haven for the last four years. When I looked at it, I was, like, it felt like, to me, and I was -- you know, I'm not a landscaper. I do not -- you know, but, for me, as a subjective, I was like, wow, there's a lot of stuff in there.

I think maybe the impression now that was cleared up so radically, wait until the spring comes and things will start to bloom and all of a sudden it fills in, you know. Like, I feel like, just looking at it right now when it's, like, in a stage where everything's cleared might give us, like, oh, my God, because we looked at this property that's filled with vines and poison ivy and all of that, and all of a sudden it's, like,

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gone. I don't feel like there's a need to be alarmed, so to speak, because I look at, like, my landscaping as, like, you cut everything down, you're like, oh, this is so sad. And then, you know --

MS. JOYCE: I get it, but I feel like -- yeah, but I'm just concerned. This is a preservation project, conservation preservation. So I'm just concerned, you know, I don't want the rest of it to become like that. I mean, how do we know where it's -- I'm just concerned about the clearing 'cause I didn't really understand that.

MAYOR FIORE: I understand that, I understand that, but I've explained it to you, that you gotta clear it out in order to plant new.

MR. BOODY: I think, in talking about conservation, you often think about preserving, purging woods, territory that's been undeveloped. In this case, this was once a landscaped alleyway that went up to Barclay Manor, the big house on

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the bluff in what is now West Banks.

And -- I think, right?

MAYOR FIORE: Yes.

MR. BOODY: Not North Haven Point.

And I remember walking in it in the '80s and getting loaded with ticks with my wife, which is why we never walked in there again. But you could, at least, walk it back then until you realize how bad the ticks were if you just went off the path a little bit.

I, I think that this was just a restoration of what's been there for decades. And it's not really -- you know, the word "clearing out virgin land" is not really what happened here. It was clearing broken trees that blocked that pathway.

And I got to admit, when I saw it I was a little surprised because I didn't really know about it, and we talked about how that's not gonna happen anymore. But I thought, wow, it's nice to see that looking cleaned up. And hopefully with

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2                   the 4-Poster program, it won't be so full  
3                   of ticks when people can go through there.

4                   MS. JOYCE: Well, I agree with  
5                   some of that. I just got concern --

6                   MS. DIAT: Yeah, but can I --  
7                   yeah, sorry. I mean, I'd like to  
8                   interject. I'm sorry, I don't want to  
9                   interrupt, but I would like to interject  
10                  at some point. Okay.

11                  MAYOR FIORE: I think this is a  
12                  good time.

13                  MS. DIAT: All right, so maybe --  
14                  okay, maybe this is the right time.

15                  You know, I guess listening to  
16                  this conversation, I guess I -- I guess  
17                  I'm concerned hearing the committee that's  
18                  been working on this together seems not to  
19                  be aligned, right. And I have raised  
20                  concerns earlier in the meeting that I was  
21                  concerned that -- and not, you know, not  
22                  everybody shared my concern, but I raised  
23                  concerns personally that I felt that it  
24                  was a very, let's just say at the very  
25                  least, it was a very informal process by

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which we moved forward with some of the Phase 1 activities as far as approvals go, right, so.

And, you know, I guess I'm a little bit disappointed that tonight we're not formally recognizing the procedures that we've written for the approvals going forward. We're gonna defer that now until the October 19th meeting. But maybe it's worthwhile discussing them a little bit further so that we start to maybe become aligned around what will happen going forward because what it does say, and this hasn't happened yet, right, but what those procedures do say is -- and Chris and I chatted a little bit about this earlier today even, right, and I think we're on the same page, but don't let me put words in your mouth, Chris.

But what the procedures do say is that the overall final plan will be presented to the Board of Trustees, and I believe we have agreed that it's the 501(c)(3) Board, together with Chris, will

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present that plan to the Board of Trustees for approval, the overall comprehensive plan.

So that means that everybody needs to become aligned and into agreement on the overall total plan, not only what has been done already, and we can't undo that, right. It's been done so it's water under the bridge. You know, whether we're in agreement with it or not, right, it's done. But I think it's just really, really important that the 501(c)(3) Board, you know, the new committee that will be put in place, need to come into alignment on the plan and it needs to be presented to the Board of Trustees for discussion. And then the Board of Trustees agree with it, vote on it, and approve it via a formal resolution so that everybody then believes in it, is in agreement on it, and we move forward and everybody's on the same page, right.

So, you know, these are big projects and they're complex pro- -- it's

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1 complex projects. And just by the very  
2 nature of it, it's difficult, right. And  
3 everybody, I think, has the very best of  
4 intentions. We want to do it right. We  
5 want it to be beautiful for the Village.  
6 We want it to be -- to last for many, many  
7 generations. So everybody has got great  
8 passion for it. And so we are all  
9 marching, I believe, in the same direction  
10 because we all have goodness at the heart  
11 of our intentions. But it is very  
12 critical that we do come to alignment.  
13 And, you know, there are many different  
14 points of view, so it's healthy debate,  
15 but we must resolve and come into  
16 alignment.

17  
18 So I do think we need to keep  
19 working through, you know, some of these  
20 differences and come to some final plans  
21 that we can all, you know, gather around  
22 and look at the details, discuss, debate,  
23 pick apart, and then hold hands on.

24 MAYOR FIORE: And I think that's  
25 what we've all decided we're gonna vote on

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on October 19th. That is what the process involves. That's how it is. That's how it goes.

MS. DIAT: Okay. But it sounds like there's still some work to be done over the next two weeks before October 19th to -- for everybody -- you know, from listening to Stephanie and Stella's --

MAYOR FIORE: There does.

MS. DIAT: -- concerns, it sounds like there's still some work to be done to get to alignment here. It sounds like not everybody's aligned yet.

MAYOR FIORE: Well, we are out of alignment, yes. But as far as the process goes, I think everything you just detailed is included in the process, and that will be voted in, more than likely, on October 19th.

I was under the impression, the very distinct impression, that you two and Max were 100 percent in alignment with Phase 1, that we would remove invasive shrubbery, as described.



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2                   MS. JOYCE:   We never voted it --  
3                   voted on it.

4                   MAYOR FIORE:   You didn't vote on  
5                   it, but --

6                   MS. JOYCE:   (Inaudible) understand  
7                   because what you said you were gonna do  
8                   and what was done, I just didn't --  
9                   doesn't match up to me.

10                  MAYOR FIORE:   Can I ask you a  
11                  question?

12                  MS. JOYCE:   Even though we talked  
13                  about that, but okay.

14                  MAYOR FIORE:   I realize, but --

15                  MS. JOYCE:   And then the other  
16                  thing is --

17                  MAYOR FIORE:   But can I just say  
18                  one thing? My impression is that you --  
19                  everyone was in alignment. Everyone was  
20                  in agreement. And then somewhere along  
21                  the line, you kind of changed your mind.

22                  MS. JOYCE:   Yes, well --

23                                  (Crosstalk)

24                  MAYOR FIORE:   Wait a minute. I  
25                  was not -- let me finish. I was not aware

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of that. And therefore, I put into work certain things, like a Sam Panton and a Jackson Dodds, that you never asked me to slow down or stop.

So my understanding was you were in agreement with this plan, that we, we executed this plan, and now we're not happy with this plan, it's overcleared. But you haven't seen the final product, so I'm a little confused.

MS. JOYCE: I'm a little confused because you told us we don't need to follow a board structure, we don't need to take votes, we don't need to take minutes. And when it came to raising money, we need to get this in order. And we do need to take votes.

MAYOR FIORE: Yes.

MS. JOYCE: We do need to take minutes. We are separate from the government. We are separate.

MAYOR FIORE: Yes, I know that.

MS. JOYCE: That's why we need to have our own -- you know, this is -- we

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have to have our structure and we need to follow this. We're liable for this.

MAYOR FIORE: I understand.

MS. JOYCE: And also, we need to be in alignment, as Terie says, with the mission and what needs to be done, and we need to understand it.

And so why, if we're separate from the government, why is the Mayor making all the decisions, creating -- saying, you know, creating these vanity prices and a whole campaign?

MAYOR FIORE: Excuse me. We created all of this as a committee, and you know that.

MS. JOYCE: Well, we didn't vote on this.

MAYOR FIORE: Excuse me.

MS. JOYCE: We did not vote.

MAYOR FIORE: We listed all of these items. We gave cost prices. We all agreed on donation prices. Please, don't change this in the middle of --

MS. JOYCE: We did not agree on

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1                   them. We talked about them. Now let's  
2                   vote on them.

3                   MAYOR FIORE: Well, we started  
4                   four months ago with a list of --

5                   (Crosstalk)

6                   MAYOR FIORE: I'm sorry, but  
7                   that's not true. That is just not --  
8                   that's not the facts, yeah.

9                   MS. JOYCE: Well, what got me  
10                  off-track was after the clearing, then Sam  
11                  Panton said that the whole, the whole park  
12                  is for pollinators. He didn't want to do  
13                  these, you know, fenced-in areas. And  
14                  then he comes with this and says that he  
15                  was told he had to have a fenced-in area  
16                  because, you know, he had to do -- he was  
17                  told he had to do this.

18                 But why do we have to have -- we  
19                 have a beautiful property that's not an  
20                 urban --

21                 MAYOR FIORE: Excuse me a second.

22                 MS. JOYCE: -- setting.

23                 MAYOR FIORE: Sam presented that  
24                 idea for a pollinator garden at our  
25

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meeting. He presented it to you --

MS. JOYCE: Yes.

MAYOR FIORE: -- and Stella and Max. And he said, "Here's what I think we could do." The pollinator garden is on Phase 2/3. It is to be worked on. It is to be massaged. It is to be assuaged, and then it is to be agreed on and proposed to the Board of Trustees. You're way ahead of yourself.

MS. JOYCE: No, but I'm just saying, we didn't vote on 25 benches and the pollinator garden. You know, we didn't vote on all of this.

MAYOR FIORE: But it was certainly my impression that we were all in agreement. Did we take a vote? I'm not sure, I can't remember. But we're all in agreement. We're all in agreement. That was my understanding, which is why I put it on the donation list. If we get -- if we get people to donate 25 benches, I think that's a wonderful thing. We have ten acres. That's two benches an acre. I

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don't think that's excessive.

MS. SKILBRED: Chris, can I  
interject here a little something?

MAYOR FIORE: Yeah.

MS. SKILBRED: All of these things  
are not definitive now. No one has  
decided yet, am I correct, on the Board,  
whether there's gonna be 25 benches or --

MAYOR FIORE: Right.

MS. SKILBRED: -- the pollinator  
garden? I mean --

MAYOR FIORE: That is correct.

MS. SKILBRED: -- that is not  
decided. That's open for discussion.

MAYOR FIORE: That's correct.

MS. DIAT: Well, right, because we  
haven't seen the final plan yet.

MAYOR FIORE: Right. And the  
final plan has not been agreed to by the  
501 Board.

MS. JOYCE: Where is it? Let me  
see a drawing.

MS. SANDS: I've never seen a  
final plan.

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2                   MAYOR FIORE:   That's what I'm  
3                   saying.   You haven't agreed to it because  
4                   you haven't seen it.

5                                   (Crosstalk)

6                   MS. TUOHY:   One at a time.

7                   MS. SANDS:   Where is the final  
8                   plan then?

9                   MAYOR FIORE:   There is no final --  
10                  there is no final plan.   That's why you  
11                  haven't seen it.   The final plan is in  
12                  development with these items that I listed  
13                  here as Phase 2 and 3 possibilities.

14                  MS. SANDS:   But we don't go  
15                  forward until we have a final plan and --

16                  MAYOR FIORE:   Of course we don't  
17                  go forward.

18                  MS. SANDS:   -- and then the  
19                  resolution will come.   So there's no more  
20                  meetings about this and reso- -- we need  
21                  to have a final plan.   We need to vote on  
22                  it.   We need a budget and we need  
23                  everybody's agreement.   This is gonna be a  
24                  little bit --

25                  MAYOR FIORE:   And those are all

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the things we just articulated.

MS. SANDS: And when we began this project, you said that we could have landscape designers collaborating and coming up with a beautiful project. A week ago you said to me it muddies the water, it'll take noses out of shape, we don't want anybody except what -- basically you said --

MAYOR FIORE: Wait a minute. Let me, let me clarify that, okay. First of all, I never said we'd have a whole group of landscape designers.

MS. SANDS: You interviewed and said that to me. I'm sorry.

MAYOR FIORE: Interviewed a few people.

MS. SANDS: Interviewed a few and you said --

MAYOR FIORE: I interviewed a few people and I chose Sam.

(Crosstalk)

MAYOR FIORE: Excuse me a minute, Stella. Here's why I don't want a group



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of five landscape designers all in a room talking about a park, because I've had 45 years of business experience and it never works. You can't get five architects in a room to design a house. You can't get five landscape designers in a room to design. And, and, excuse me, you proposed this nine months after Sam Panton spent a great deal of his time and energy and money, himself, to develop the plan for this park that we've been working on. And I thought it was definitely, definitely nasty of us to then say, "Sam, I'm sorry, but we're gonna bring in three other people and we're gonna have them take a look at your plan and make recommendations." I thought it was disingenuous.

(Crosstalk)

MS. SANDS: Did you ever tell us that Sam --

MAYOR FIORE: We know this because it's donated.

MS. SANDS: Well --

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(Crosstalk)

MS. SANDS: You get people to give their ideas and we all sit around and look at it. Now, architects, they put bids out, five people come up with a house design, we look at it. And this is such an important park that one person and one landscaper, I don't believe, should be the final --

MAYOR FIORE: Well, then I just wish you had brought this up sometime during the last nine months of meetings.

(Crosstalk)

MS. SANDS: The last time Stephanie brought up something and said, "I don't understand it," and you said, and I'm quote (sic), "Then why don't you quit?"

MAYOR FIORE: Well, what I said was --

MS. SANDS: (Inaudible) --

MAYOR FIORE: She didn't say she didn't understand. She said she wasn't in favor of it.

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MS. JOYCE: No, I did not. I said  
I needed --

MAYOR FIORE: Excuse me,  
Stephanie.

MS. JOYCE: Well, excuse me.

MAYOR FIORE: There was --

MS. JOYCE: That's not true.

MAYOR FIORE: There was a lot of  
discussion about where you were going.  
And I said, "If you don't like where we're  
going, maybe you should resign." Yes, I  
said that.

MR. ABRAHAM: Can I interject into  
this conversation? Because I feel like  
we're going in circles because there's one  
argument against another and I don't think  
we are in any way -- we can -- the rest of  
the Trustees, we cannot, you know, judge  
about the conversations that happened. So  
I feel like, you know, like this can go on  
and on and it's a he-said-she-said.

So clearly, there are some, you  
know, differences of how the 501(c)(3)  
Board to this worked with Chris, who is

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the liaison between the Village and the 501(c)(3). So how do you envision your work going forward? What are the parameters that you need to have?

Because for me it's very hard to judge now in hindsight. I look at the plans that were made that we presented and I like them. So the first phase is done, which is, like, clearing, making a basic park. To me, that's what it looks like. This is, like, now we can build on that. Going forward from Phase 2 and 3 with all these elements and everything else needs to happen, how do you envision your work? Because it's hard for us to judge and I want to go back to this back and forth, right.

MS. JOYCE: It's a vision. We need to be clear on the vision. That's why Sam wanted to be in on some of our Board meetings. He hadn't come to one, to the last one we invited him.

And the vision, yes, I'd like to be clear on the vision. It should be on

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1  
2 a -- we don't have a -- nothing's cited on  
3 the --

4 MR. ABRAHAM: So I think it is  
5 very hard to -- sorry. I think it's very  
6 hard to -- a lot of these -- a lot of  
7 these elements and the overall fine design  
8 of whatever it's gonna look like are very  
9 much dependent on, like, how much money we  
10 are actually able to raise. If we're only  
11 able to raise at the end of the day  
12 \$200,000, there's a lot of things we can't  
13 do, so the final design would be very  
14 different, right.

15 MS. JOYCE: Right.

16 MR. ABRAHAM: So, but I think that  
17 with every -- so I think presenting a  
18 final plan as this develops, as this  
19 design is being developed, are very tough  
20 to, like, really nail it down, be like,  
21 okay, this has to be it, because depending  
22 on the money flow, this might change a  
23 little bit, you know, what we are able to  
24 sort of, like, get in there.

25 But I just want to establish,

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1                   like, going forward, what are the  
2                   procedural steps that you see, the  
3                   501(c)(3) Board, involved in? You know,  
4                   clearly you need to make decisions. And  
5                   then we have a board that sort of, like,  
6                   comes on board that is being formed by  
7                   Dianne, Chris and a landscaper. So you  
8                   need to come together and agree on these  
9                   so that we can, as a Board, can approve  
10                  them in a resolution.

11                               I want to agree with one thing  
12                   that Chris said, and it's Sam Panton's  
13                   donation of his time. When you hire an  
14                   architect to build a house, you have to  
15                   get five different designs, they're  
16                   usually charging for that already.

17                               MS. SANDS: Not necessarily  
18                   (inaudible). I've had -- I have three  
19                   designs for my house and nobody charged.

20                               MR. ABRAHAM: Okay.

21                               MS. SANDS: So that's not  
22                   necessarily the case.

23                               And these people that Chris  
24                   interviewed, some people I know, for  
25

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landscape said they would do it gratis and they would work with Sam and I believe Sam agreed. That's what -- I'm not gonna swear to, but I believe he agreed. And nobody has had anymore input. And, as I said, Chris then said, "We can't have anyone."

It's not pushing Sam out.  
Collaboration is not pushing someone out.

MAYOR FIORE: Well --

MS. SANDS: It's an opening up things and getting ideas and --

MR. ABRAHAM: Maybe --

MAYOR FIORE: I'm sorry, but according to Sam, that is not something that he would be interested in pursuing. He said this is the park, this is the park that he's designed. He's done what he was asked to do.

MS. JOYCE: Sam has been asking us to be part of the meeting and be more of a collaborative approach. He's been wanting to come to the Board meetings.

(Inaudible) donation items, as

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1                   Terie said, to get everything in  
2                   alignment, you know, with what's right for  
3                   the land and what's right for the  
4                   community. Why don't we do a community  
5                   survey? Let's bring it to the people.  
6

7                   MR. ABRAHAM: I think Scott wants  
8                   to say something. I just got a text  
9                   message. So maybe if that is true, maybe  
10                  he can talk.

11                  MR. MIDDLETON: Yeah. So, just, I  
12                  wanted to back up to something the ladies  
13                  were alluding to before.

14                  You know, with respect to the  
15                  Certificate of Incorporation, it sort of  
16                  sets out what you folks were worried about  
17                  in terms of the mission statement. Now,  
18                  you can go further and you can amend  
19                  things in the bylaws as the Board Members  
20                  for the not-for-profit, so that's fine.

21                  But I also wanted to say that when  
22                  this corporation was formed, it was not  
23                  simply for the Lovelady Park, which is why  
24                  Jeff Sander named it what he named it. So  
25                  I wanted to make sure that you folks, you



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1                   know, incorporate that into whatever it is  
2                   that you're looking to do in the future in  
3                   terms of maybe revising the bylaws, coming  
4                   up with a mission statement, whatever it  
5                   is that you want to do.  
6

7                   From the legal standpoint, what's  
8                   in the Certificate of Incorporation is  
9                   what's required. So you don't need to  
10                  worry about, you know, some sort of issue  
11                  down the line. So, and that was put in  
12                  the e-mail that I sent to all you folks.

13                 MS. SANDS: So I'm just unclear.  
14                 Does the 501(c)(3) have a mission  
15                 statement in it?

16                 MR. MIDDLETON: It doesn't -- I  
17                 wouldn't call it a mission statement. But  
18                 what it says is, "In furtherance thereof,  
19                 the corporation may receive property by  
20                 gift, devise or bequest, invest and  
21                 reinvest the same, and apply the income  
22                 and principal thereof, as the Board of  
23                 Directors may, from time to time,  
24                 determine, either directly or through  
25                 contributions to any charitable

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organization or organizations exclusively for charitable purposes, and engage in any lawful act or activity for which corporations may be organized under the NPCL." So --

MS. SANDS: But that's not in a 501(c)(3) application.

MR. MIDDLETON: That's on the -- that's on the Certificate of Incorporation for the not-for-profit. So, you know, that forms the basis for, you know, the incorporation. So that's kind of what -- when this not-for-profit was formed, that's what it was limited to.

MS. SANDS: Right.

MR. MIDDLETON: So, and that's why I put into the e-mail that when Jeff first brought this to my attention and we started doing the legal work on it, it was really the fundraising that was his primary concern.

If things change, you know, I mean, you just have to stay within the guidelines there. And, you know, for --

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1                   in any lawful act for which corporations  
2                   may be organized under the not-for-profit,  
3                   there's a lot of things that you can fit  
4                   in there.  
5

6                   So I just wanted you folks to feel  
7                   comfortable with what has been  
8                   established, that you're not breaking any  
9                   rules or doing anything that, you know,  
10                  you shouldn't be doing. But it might be a  
11                  good idea for the Board to get together  
12                  and figure out, you know, the bylaws that  
13                  were drafted are a basic bylaw. And what  
14                  happens with new not-for-profits and even  
15                  established not-for-profits, they go  
16                  through bylaw changes, you know, when they  
17                  feel it's appropriate. So, you know,  
18                  that's the sort of thing that's within  
19                  your purview as the Board Members.

20                  So I hope that alleviates some of  
21                  the anxiety that I felt from the legal  
22                  standpoint. That's the only reason I  
23                  chimed in, really. I mean, the other  
24                  things, I wasn't involved in and don't  
25                  have really much knowledge about it, so,

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2                   but I wanted to chime in with that.

3                   MS. JOYCE: Thank you.

4                   One other thing. I just feel like  
5                   it's time for -- to hear from the people.  
6                   I mean, we gave this presentation back in,  
7                   I mean, in the spring, and we haven't  
8                   updated so much. We haven't really let  
9                   the people in to -- I mean, why don't we  
10                  have a community form and see what people  
11                  would like to -- you know, is this, you  
12                  know, this talk of more an urban park feel  
13                  with concrete benches and checker tables,  
14                  pollinator fenced-in gardens, or more of a  
15                  preserve, fewer, more -- less impact on  
16                  the environment, or somewhere in between?

17                  But let's, let's -- why don't we  
18                  flesh that out a little bit more? I feel  
19                  like we might want to tap the brakes here  
20                  a bit and, and just get in sync, as Terie  
21                  said, and get in alignment and have a more  
22                  collaborative approach.

23                  And one thing we haven't talked  
24                  about is -- person I looked into, a lot  
25                  of -- though we both have a passion for

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1 the history of the property and the  
2 structures. I know it's in the CPF to  
3 take them down. But there was talk of an  
4 extension. And also, Long Island  
5 Preservation and Fred Theile were talking  
6 about maybe a way to carefully consider,  
7 now with the crisis and community housing  
8 and, I don't know, is there -- just before  
9 demolition, before it's gone and we can't  
10 go back, can we have a meeting to  
11 carefully consider is there a purpose for  
12 one of our oldest historic structures  
13 which has an interesting history so we  
14 have the -- could it be for a caretaker,  
15 someone that takes care of us? Can we  
16 revisit that and have, like, a --

18 MAYOR FIORE: I have revisited  
19 that with Tommy John and Fred Theile.  
20 There is a great deal of money that's  
21 needed to get the house up to code and to  
22 get it legally habitable. That would have  
23 to be from a private source.

24 MS. JOYCE: Yes.

25 MAYOR FIORE: It is not gonna be

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from the Village.

MS. JOYCE: Well, having  
preservation can help with that.

MAYOR FIORE: And it is not going  
to be -- it is not going to be from the  
Town.

MS. JOYCE: Yes.

MAYOR FIORE: If you want to -- as  
part of the 501 Board, it is not  
specifically your responsibility to talk  
about preservation. So if you want to do  
this --

MS. JOYCE: (Inaudible).

MAYOR FIORE: I know. Let me  
finish.

So if you want to do this on your  
own, that's fine. And you can come to the  
Board any time you want and you can tell  
us how you propose that we can fiscally,  
responsibly save the house. I --

MS. JOYCE: I know that.

MAYOR FIORE: I don't see that as  
a possibility, although I've investigated  
it for seven months --

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MS. JOYCE: Yeah, I know.

MAYOR FIORE: -- and I don't see that as a possibility.

MS. JOYCE: Yeah. I want to focus on the park, too.

MAYOR FIORE: If you want to come on separately, aside from the 501, aside from the planning of the park, separately with a recommendation on how we can, without spending taxpayer dollars on that house and without being the landlord of that house, if you can, if you can come up --

MS. JOYCE: It's not --

MAYOR FIORE: -- with something, right, then, by all means, do it.

MS. JOYCE: Once again, it's not me. It's not -- I want to focus on the park. This is a collaborative effort.

MAYOR FIORE: Right.

MS. JOYCE: Long Island Preservation would like to examine this and maybe even give funds for that or help us find -- this is what they do.

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MAYOR FIORE: Well, then that, you can certainly entertain.

MS. JOYCE: The whole thing, all of Lovelady is about -- it's about conservation and preservation. So let's examine conservation and preservation, along with open space and parks. It's a wholistic approach. And we also have sensitive wetlands that we need to consider.

So that would be my ideal. Claas, you asked. I would like to have, you know, more of a collaborative approach, more open lines of communication with the Village Board and with the community. And this is a fun project. This is really an exciting project, and I love it. We're all passionate. Everyone here, I'm sure, is passionate, long-time residents and everyone on Zoom. So let's -- I just wish we could, like, tap the brakes a bit and score some, some --

MAYOR FIORE: We could certainly tap the brakes. We could certainly tap



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the brakes and we could explore other items for Phases 2 and 3.

MS. JOYCE: Yes.

MAYOR FIORE: There's been no commitment for Phase 2.

MS. JOYCE: Okay.

MAYOR FIORE: There's been no commitment for Phase 3. There is no project plan given to the Board of Trustees for anything past Phase 1, which I will restate, I was under the impression you were 100 percent behind the work that is included in Phase 1, which is the work that is in progress right now. And that was nine meetings and nine hours of our time together when you looked at that plan and you went, wow, this is gonna be great.

MS. SANDS: And then we didn't vote on it.

MAYOR FIORE: No, we didn't vote on it. No, we didn't vote on it. But you gave --

(Crosstalk)

MS. SANDS: I can speak for a

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second?

MAYOR FIORE: Yeah. Yeah, you  
may. Yeah, no, we didn't vote on it.

MS. SANDS: Now may I speak?

MAYOR FIORE: Yes.

MS. SANDS: Okay. We didn't vote  
on it. You went ahead and got Jackson  
Dodds to do --

MAYOR FIORE: Okay.

MS. SANDS: -- all that work.

MAYOR FIORE: You've talked about  
this, Stella.

MS. JOYCE: Can I speak?

MAYOR FIORE: No. I'm sorry.

MS. JOYCE: Wait.

MAYOR FIORE: But you can't repeat  
yourself, okay? Yes.

MS. SANDS: You have cheated  
yourself at least five times.

MAYOR FIORE: Okay.

MS. JOYCE: And agreements are  
being made that we don't understand. We  
don't understand. What is this \$150,000  
and Jackson? We don't understand --

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2                   MAYOR FIORE:   It's money to build  
3                   the park.   It's foundation money.

4                   MS. JOYCE:   But we're in charge of  
5                   fundraising.

6                   MAYOR FIORE:   Right.

7                                   (Crosstalk)

8                   MAYOR FIORE:   Because there was no  
9                   fundraising done by the 501.   I went out  
10                  and got a family foundation to write a  
11                  check for \$100,000.

12                  MS. JOYCE:   It's a little early  
13                  to (inaudible).

14                  MAYOR FIORE:   Not really.

15                  MS. JOYCE:   This is -- that's why  
16                  we're separate.   We are --

17                  MAYOR FIORE:   Okay, fine.

18                  MS. JOYCE:   -- a 501(c)(3).

19                  MAYOR FIORE:   If the 501 wants to  
20                  return the money and start over again --

21                  MS. JOYCE:   Come on, now.

22                  MAYOR FIORE:   -- then, please,  
23                  tell me and I'll rip up the check.

24                  MS. SANDS:   Where's that money  
25                  (inaudible) where?

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2                   MAYOR FIORE: Well, if you don't  
3                   want the \$100,000. If you don't want the  
4                   \$100,000.

5                   MS. SANDS: Well, we don't. I've  
6                   never seen it donated. I haven't seen  
7                   anything.

8                   MAYOR FIORE: Well, he isn't here  
9                   yet, but it is committed. And it wasn't  
10                  voted on by the family foundation. It was  
11                  given to me by the person in charge of the  
12                  family foundation, here's \$100,000. It's  
13                  in work right now. And that is to help us  
14                  build a park. So that is what I did and  
15                  I'm working on another 50,000. If you  
16                  don't want me to do it, that's fine. Then  
17                  you can do all of it.

18                  MS. SANDS: Okay. So, let me just  
19                  be fair. You're the ex officio president,  
20                  correct, of this group --

21                  MAYOR FIORE: Yes.

22                  MS. SANDS: -- the 501?

23                  Are you staying on as that?

24                  Because you sit here -- I don't know why,  
25                  I don't know how that came up -- and said,

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"or who replaces me," it was put in this thing. Are you planning on staying on as Mayor and --

MAYOR FIORE: I don't think that's something we need to discuss right now.

MS. JOYCE: It is, because government is supposed to be separate from the 501(c)(3), so.

MAYOR FIORE: I'm the ex officio president of the 501 Board. I have no legal responsibility for the 501 Board. Jeff appointed me to that job. Jeff appointed me to liaise between the 501 Board and the Village Board.

MS. SANDS: I understand. But I sit here, just, I was just asking a question. You said, "or who may repla-" -

MAYOR FIORE: Well, if I got hit by a bus and got replaced by someone --

(Crosstalk)

MS. SANDS: Well, I don't know why you even came up if I'm gonna replace --

MAYOR FIORE: Well, because there's an ex officio president. And if

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that president disappears, there's another  
ex officio president. That's all.

MR. ABRAHAM: Do you require to be  
on there?

MAYOR FIORE: No. And I am  
stepping down from that position and  
joining the committee to help you make the  
park that you want to build.

MS. SANDS: So you and Dianne and  
two landscape designers --

MAYOR FIORE: Yes.

MS. SANDS: -- are being the  
liaison now and you are not coming to  
our -- you're all coming to our --

MAYOR FIORE: We could come to  
your 501.

MS. SANDS: Well, how else would  
you --

MAYOR FIORE: We'd have to be  
invited, yeah.

MS. SANDS: How would you  
translate the ideas if you're not --

MAYOR FIORE: We'd have to meet at  
some point, yes, we would.

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MS. SANDS: Okay.

MAYOR FIORE: Right.

MS. SANDS: Okay.

MR. MIDDLETON: I wanted to just chime in with one other thing, because folks were talking about the structures on the property. So if there's a move to protect those structures, especially if it's to protect them in place, the IMA, with the Community Preservation Fund, will have to be redrafted, and the CPF would have to agree to that. Right now the IMA requires that those structures be removed. That was not the Village's --

MS. JOYCE: (Inaudible).

MR. MIDDLETON: That was not the Village's input or decision. That was the CPF's decision and it's a requirement.

MS. JOYCE: I'm aware of that. But now they're revisiting that with the housing crisis and Michael Donnelly and Fred Theile. They're revisiting that. Fred Theile wrote the CPF agreement, so he --

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MS. DIAT: Yeah, I think the Board should have some input to that decision. I would like to, at least.

MR. MIDDLETON: Well, I'm just pointing out what the IMA says. You know, you guys can try to figure out whatever you want to do and you think is best for the Village. That's, that's fine with me.

MS. DIAT: Yeah, I --

MR. MIDDLETON: I'm just pointing out that right now we have a deadline in that IMA that if you folks want to do something, we should probably address that.

MS. DIAT: Yeah. I think --

MR. MIDDLETON: That's my only --

MS. DIAT: Personally, I think the Board of Trustees needs to have a discussion and needs to decide on that, 'cause the deadline is coming up and so I think we need to discuss that and decide if we want to revisit it or continue along the current deadline of December 13th.

MAYOR FIORE: And we can do that



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at the meeting on the 19th.

MS. DIAT: Yeah.

MAYOR FIORE: As the Mayor of the Village, I don't have any interest in being a landlord and I don't have any interest in spending our taxpayers' money on refurbishing the house and bringing it up to code.

MS. JOYCE: No, you wouldn't --

MAYOR FIORE: That was the message I gave to Tommy John. I said, "If the Town wants to do it, if the CPF wants to do it, that's fine." The answer I got back was, "That's not on the table."

MS. JOYCE: That's a whole other meeting. I mean, that's a Board meeting that --

(Crosstalk)

MS. JOYCE: (Inaudible) were done, you know. It's before too much (inaudible) before buildings come down without people talking about it. A lot of people don't even know the history of it. We have a fun event. You know, let's do

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something with the music. You're a DJ.

Let's do a fun --

MR. ABRAHAM: We are talking about the house since the day, you know, this whole thing was procured, when CPF bought the property. And I think a lot of options have been explored through an array of people. If there's a new one --

MS. JOYCE: Well, Long Island Preservation --

(Crosstalk)

MS. JOYCE: They're not saying -- just, just give it a little -- I don't know how much --

MR. ABRAHAM: I'm not shutting down. I'm just saying, like, we, as a Board, have always, like, been interested in listening to options to preserve and maintain this house and get another use for it. And we have went through a number of, like, ideas to how to preserve and how to make it particular with, you know, housing, how to make it usable without us becoming a landlord because the Village

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doesn't want to, you know. If there's another venue that we can explore, then I'm happy to listen to it.

MS. JOYCE: Talk to Sarah Kautz, president of Long Island Preservation, just for a conversation. It's interesting. And then take (inaudible) you know, just --

MR. ABRAHAM: Give to their -- arrange for that conversation. We can have that and we're happy to listen.

MS. JOYCE: Yeah. She's very interesting. It's an interesting conversation.

MR. BOODY: Isn't it SPLIA, the Society for the Preservation of Long Island --

MS. JOYCE: It's called --

MR. BOODY: -- Antiquities?

MS. JOYCE: No. It's just called Long Island Preservation, and it's -- yeah, it's for -- because two percent of the CPF goes to restore historic structures, so.

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MR. BOODY: Two percent of the CPF  
goes to restoring --

MS. JOYCE: Two percent goes to  
restore certain -- you know, things are  
being taken from the CPF that, you know,  
could be assets. So let's just --

MAYOR FIORE: I don't believe  
that's correct.

MS. JOYCE: What (inaudible) you  
say?

MAYOR FIORE: I don't believe  
that's correct.

MS. JOYCE: (Inaudible).

MAYOR FIORE: No, I don't know.

MS. JOYCE: I don't know, but  
that's something to look into. But  
anyway, that's another discussion.

MAYOR FIORE: So what are -- what  
would you like to see as next steps?

MS. JOYCE: Well, I like this  
collaborative approach.

MS. SANDS: I'd like to meet with  
the Board, to talk to the Board, to find  
out their feelings. Just the other day we

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found out -- I found out for the first time that the Board doesn't particularly like the idea of Lovelady Preserve but rather wanted Lovelady Park or Garden. We didn't -- so I -- and they also wanted -- and they also wanted some bit of -- some more socializing.

So I'd just like to have a discussion with the Board, talk about what their vision is, tell what our vision is, come to some kind of consensus, and then go on step by step, phase by phase.

MAYOR FIORE: The question that you raise about park versus preserve, what I said to you in that e-mail was that I've always used the term "Lovelady Park" as a working title, quote, "working title".

MS. SANDS: Yes.

MAYOR FIORE: And that the Board said they were not sure that that was what they wanted to call it, so they would like to revisit.

MS. SANDS: That's what I'm saying.

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MAYOR FIORE: Actually, it was Terie who brought it up.

MS. SANDS: That's what I'm saying right now, yeah. It's repeating what I said. I said it would be very nice if we had this discussion, park, preserve, garden, Lovelady, whatever it is, let's talk. Let's see if we can come up with a great name.

MS. JOYCE: Starting with the mission and the name and the vision and then go to fundra- -- and I'm happy to fundraise. I mean, I'm excited to fundraise. This will be fun, you know.

MS. DIAT: Yeah. And I guess, you know, what I would like to see you all do as a group is come back to us with recommendations, right. I think we've agreed, I hope we've agreed, that that's your role, to come back and make recommendations to us as a Board that we can then respond to you.

MS. SANDS: Yes.

MS. DIAT: You know, give us

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something to respond back to you on.

MS. SANDS: Right.

MS. DIAT: Ideally, for me, I want to see that comprehensive plan, right. Come back with the plan. Give us something to react back to, you know, to give you feedback on, and that can include the name, right.

And, personally, as Chris said, you know, I am not enamored with the name of Lovelady Park. I don't think the name "Lovelady" has longevity. I don't think everybody in the Village knows who Lovelady is and I don't think it will stand the test of time. I think we should be looking at renaming it. Perhaps -- I, personally, do like the word "park" over "preserve," but those are my personal opinions. But I do think we should be looking to come up with a new name for it other than Lovelady. But, yeah, and I also --

MS. SANDS: (Inaudible.)

MS. DIAT: I also am looking to

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1                   you all to hear kind of what the plan is  
2                   for the fundraising campaign. You know, I  
3                   don't feel like we really heard what that  
4                   plan is, how you're planning to launch it,  
5                   kind of what the elements of the campaign  
6                   will be. You know, we've heard, you know,  
7                   naming rights, you know, you know, buy a  
8                   bench, buy a tree or whatever, but I hope  
9                   there will be more to it than that. I'd  
10                  also be looking for you all to come back  
11                  to us and outline kind of what that  
12                  comprehensive fundraising plan is.

14                         But I also want to say, I also  
15                         want to say thank you. Because I know it  
16                         takes a lot of time and effort and I want  
17                         to say, you know, thank you to Stella and  
18                         Stephanie and Max, and I know Sam's not in  
19                         the meeting, but to Sam and Jackson Dodds  
20                         and everybody else who has put a lot of  
21                         your time and effort and sweat equity into  
22                         this, because it takes a lot and we very,  
23                         very much -- and Chris, as well, we very,  
24                         very much appreciate all that you've put  
25                         into it and all that you will put into it.



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2                   So, thank you, thank you, from the bottom  
3                   of our hearts.

4                                   (Crosstalk)

5                               MAYOR FIORE: I think that's all  
6                   we have on the agenda. It is 5:00, or  
7                   almost. Eileen?

8                               MS. TUOHY: I don't know, I did  
9                   have a request from Jim Voss to ask a  
10                  question. I don't know --

11                              MAYOR FIORE: Jim Voss, are you  
12                  still there?

13                              MS. TUOHY: Yes.

14                              MAYOR FIORE: Yes.

15                              MR. VOSS: I had a question for,  
16                  actually, for Scott Middleton. Yeah,  
17                  you're still on.

18                              MAYOR FIORE: He's here.

19                              MR. VOSS: Great. So it's just a  
20                  question for Scott. And I guess my  
21                  perspective is both, I'm related to  
22                  Stephanie but also, you know, I'm a  
23                  potential donor of \$50,000 to this park.  
24                  You know, I'm a big believer in it.

25                              But my question is, I guess, given

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1                   that my understanding is the government  
2                   cannot directly accept donations from  
3                   private citizens, you know, that's  
4                   established, so the common structure is  
5                   for a independent 501(c)(3) to be set up,  
6                   which you did.

7                                 What if the majority of the Board  
8                   disagrees with the Mayor's proposed design  
9                   for the park, right? And my question is,  
10                  if the Board disagrees with that, is it  
11                  within the Board's rights to either not  
12                  accept donations or, you know, simply say,  
13                  "We don't want to accept donations because  
14                  we don't believe in the design for their  
15                  park?" Is it within their rights, if the  
16                  Board is strongly opposed to the vision,  
17                  you know, the design of the park, which I  
18                  don't think is gonna happen. But, you  
19                  know, as Stephanie said, it could be  
20                  Central Park, it could be a field, it  
21                  could be somewhere in between, there's  
22                  room for disagreement.

23                                But let's say that after a few  
24                  weeks, the Board is just -- the majority  
25

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of the Board, three people on the Board, two out of three say, "We just can't get behind this plan, we do not support it," is it within their rights to not accept donations, yes or no?

MR. MIDDLETON: Well, they control the purse strings, so to speak, right. So they take the donations in or choose not to. I mean, if somebody says, "I want to" -- "I want to make a donation for \$100,00 and we want to build, you know" --

MR. VOSS: Gambling parlor.

MR. MIDDLETON: -- "a huge fountain in the middle of this thing," and they said, "Well, thanks, but no thanks." So I think in those, in those instances, yes.

And, look, I mean, I've listened -- this is my first interaction with everybody here and I think that everybody's kind of on the same page. They need to coordinate better, as Terie pointed out. You know, just collaborate a little bit more closely and I don't think

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1                   that'll be an issue. People will make  
2                   donations. If you want to make the  
3                   donation and you want to earmark it for  
4                   something, that's the kind of thing where  
5                   the -- at least my, my understanding of  
6                   how the 501 was going to operate. That  
7                   may have changed. It may be different now  
8                   with the Board wanting to go in different  
9                   directions. That's the sort of thing  
10                  that, as a Board, they should do by way  
11                  of, you know, amending the bylaws. They  
12                  have the blueprint to operate, you know,  
13                  in a most efficient and reasonable manner.

14                               MR. VOSS: Yeah. My question was  
15                               just the scenario that what if a month  
16                               from now the majority of the Board decides  
17                               they just are completely opposed to, let's  
18                               say, Phase 2 and Phase 3 of the design.  
19                               Is it within their power to just say we're  
20                               not gonna support this monetarily or not?

21                               MR. MIDDLETON: Well, I'm just  
22                               taking a look again at the Certificate of  
23                               Incorporation and what it says. So they  
24                               can either directly or through  
25

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contributions to any charitable organization or organizations, exclusively for charitable purposes, make donations. If you can make donations, you can withhold donations. So, you know, but that's gonna -- so what's gonna -- I think then the donors would become upset as well.

So, you know, everybody has their fiduciary responsibilities. The Village does, especially in terms of what they have to do for the Town under the IMA and for the Village residents. This Board does -- I'm talking about the not-for-profit Board because they have a fiduciary responsibility to the corporation, and if they're taking donations in, people are making the donations so that it goes towards something.

So I think, as Terie and the other Board members pointed out, you know, everybody's gotta work together here for the common good and the betterment of the

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Village and, you know, to establish a park that's in the best interests of the Village residents.

MR. VOSS: Yeah, that was my point. We need to get agreement. And if the Village -- if the 501(c)(3) Board is completely opposed to the design, you know, kind of people gotta stay in the room 'til it's worked out is my opinion as a private citizen. That's the end of my question.

MR. MIDDLETON: I think that's -- that hit the nail on the head.

MAYOR FIORE: Are there any other questions from the audience on Zoom? Yes, Mr. Rossi? You have to unmute yourself, Mr. Rossi. You have to unmute yourself.

MR. ROSSI: Okay.

MS. TUOHY: There you go.

MAYOR FIORE: There you go.

MR. ROSSI: As a 21-year resident, I think this whole idea really works well. And if you are going to be looking for financial support, I think the master plan

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has to cover everything that you want to show, which also includes how you want the drive around the lakes to look, and what are you going to do -- how much property does the Town own that is now in what I call a water runoff to the lakes? Because that's where you have the deer and all the foxes and everything running up and down that chute for weather. So to really get support, I think you gotta cover that whole area and say how is it gonna beautify the whole thing. And I could be totally wrong, but that's just an opinion.

MAYOR FIORE: Okay, thank you.

Anyone else? Any other comments from anyone else on Zoom?

(No Response)

MAYOR FIORE: Okay. I would ask -- yes, Mr. Remkus.

MR. REMKUS: Bob Remkus. The more I look at the park, the more I say leave it passive, leave it natural. I think the opening's great. You can see the pond, it's really pretty, and there's a piece of

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1 a tree that you can sit on which looks  
2 really nice. So I would say, I just don't  
3 think make it a cutesy-cutesy park. We  
4 have one here that shouldn't really be  
5 here. But that's what I -- I just think  
6 that I would leave it. I think I'd keep  
7 it mowed as it is and just see what  
8 happens with it. Let's develop very  
9 slowly and just see what ha- -- there are  
10 a lot of deer. There are a lot of geese  
11 in there. But I wouldn't be too hellbent  
12 on developing. I think that to give it a  
13 (inaudible) maybe call (inaudible).  
14 That's our original name in North Haven  
15 Village --

17 (Crosstalk)

18 MR. REMKUS: But again, I just  
19 think, you know, take it slow. I do like  
20 (inaudible) I hope they continue it all  
21 the way out to Sunset Beach and I hope  
22 they can clear around --

23 MAYOR FIORE: We have to wait for  
24 the DEC for that.

25 MR. REMKUS: Yeah. And there a



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lot of phragmites in the big pond in the back, too (inaudible).

MAYOR FIORE: There have been a lot of phragmites removed within the last two weeks along the edge of the pond where we would see people gathering, benches -- sitting on benches, et cetera, et cetera. There's an apple orchard there. There's the twin pines there that'll all be grass. You missed that part of the whole thing. And then phragmites came out, as well as all the other invasive shrubbery. And the grass will be planted this week and native shrubbery will be replanted to replace the invasive shrubbery.

MR. REMKUS: Yeah. And then --

MAYOR FIORE: And 10 trees will be planted.

MR. REMKUS: Do you need a permit for the phragmites? Because Ryder's Pond is full in the back, too.

MAYOR FIORE: Ryder Pond may be wetlands. Sebastian Pond is not designated as wetlands, which is why we

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did not need DEC approval to do that.  
Ryder Pond may be and the pond across the  
street certainly is, and the goose pond  
is.

MR. REMKUS: They're considered  
wetlands?

MAYOR FIORE: Yes.

MR. REMKUS: They are. Okay.

MAYOR FIORE: Yes. Even though it  
was manmade, it's still considered  
wetlands, yes.

MS. SANDS: You know, they cleared  
some --

MAYOR FIORE: We cut back.

MS. SANDS: -- (inaudible).

MAYOR FIORE: To here and the  
other side, yes, yes, which is completely  
permissible, yes. Can't do anything  
inside past six feet --

MS. SANDS: Okay.

MAYOR FIORE: -- without DEC  
approval.

MS. SANDS: Gotcha.

MAYOR FIORE: All right. Any

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other questions? Any other comments? No?

(No Response)

MAYOR FIORE: Good. I would look  
for a motion to adjourn?

MR. BOODY: Motion to adjourn.

MAYOR FIORE: Peter. Second?

MR. ABRAHAM: Aye.

MR. BOODY: Aye.

MS. DIAT: Aye.

MS. SKILBRED: Aye.

MAYOR FIORE: Aye. Okay, thank  
you very much, everyone.

(End of Provided Recording)

ERRATA SHEET FOR THE TRANSCRIPT OF:  
Hearing Name: North Haven BOT Work Session  
Hearing Date: October 4, 2022

## CORRECTIONS

PG	LN	NOW READS	SHOULD READ	REASON FOR
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Date

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Signature

Subscribed and sworn to  
before me this \_\_\_\_ day  
of \_\_\_\_\_, 2022

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Notary Public

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2 I, Agata Davis, certify that the  
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5 Trustees of the Village of North Haven, held  
6 on October 4, 2022, was prepared using the  
7 required electronic transcription equipment  
8 and is a true and accurate record of the  
9 proceedings.  
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